

AMS/FAST CHANGE REQUEST (CR) COVERSHEET

Change Request Number: 20-20

Date Received: 1/16/20

Title: Clauses and Prescriptions - Change 99

Initiator Name: Tim Eckert

Initiator Organization Name / Routing Code: Procurement Policy Branch, AAP-110

Initiator Phone: 202-267-7527

ASAG Member Name: Michelle Brune, AAP-100

ASAG Member Phone: 202-267-7328

Policy and Guidance: (check all that apply)

- ☐ Policy
- ☒ Procurement Guidance
- ☐ Real Estate Guidance
- ☐ Other Guidance
- ☐ Non-AMS Changes

Summary of Change:

Revised clauses:

3.6.2-10 Equal Opportunity Preaward Clearance of Subcontracts (November 1997)
3.6.2-14 Employment Reports on Veterans (February 2016)
3.6.3-7 Waste Management and Pollution Prevention (April 2017)
3.6.3-8 Alternatives to Products Containing Ozone Depleting Substances and High Global Warming Potential Hydrofluorocarbons (October 2016)
3.6.3-13 Affirmative Procurement of Recycled Content and Products under Service and Construction Contracts (October 2016)
3.6.3-14 Use of Environmentally Preferable Products (October 2016)
3.6.3-17 Efficiency in Energy Consuming Products (October 2019)
3.6.3-19 Affirmative Procurement of Biobased Products under Service and Construction Contracts (October 2016)
3.6.3-21 Efficiency in Water Consuming Products and Services (October 2018)
3.6.3-22 Construction Waste Management (January 2018)
3.6.3-23 Delivery of Electronic and Paper Documents (October 2016)
3.6.4-1 Waiver of Buy American Act for Civil Aircraft and Related Articles (July 2011)
3.6.4-16 Balance of Payments Program Certificate (July 1996)

FAST Version 1/2020

CR 20-20

p. 1

3.6.4-22 Representation Regarding Certain Telecommunications and Video Surveillance Services and Equipment (October 2019)
3.9.1-1 Contract Disputes (October 2011)
3.9.1-3 Protest (October 2011)
3.10.6-3 Termination (Cost-Reimbursement) (October 2011)
3.10.6-4 Default (Fixed-Price Supply and Service) (October 1996)
3.10.6-5 Default (Fixed-Price Research and Development) (October 1996)

Deletion of the following clause:

3.6.2-40 Nondisplacement of Qualified Workers (April 2009)

Addition of the following clauses:

3.6.4-24 Covered Telecommunications Equipment or Services - Representation (January 2020)
3.13-16 Records Management (January 2020)

Reason for Change:

1. The following clauses were revised administratively:

3.6.2-10 Equal Opportunity Preaward Clearance of Subcontracts (November 1997)
3.6.2-14 Employment Reports on Veterans (February 2016)
3.6.4-1 Waiver of Buy American Act for Civil Aircraft and Related Articles (July 2011)
3.6.4-16 Balance of Payments Program Certificate (July 1996)
3.9.1-1 Contract Disputes (October 2011)
3.9.1-3 Protest (October 2011)

2. The following clauses were revised consistent with Executive Order 13834 "Efficient Federal Operations" which deleted Executive Order 13693 "Planning for Federal Sustainability in the Next Decade".

3.6.3-7 Waste Management and Pollution Prevention (April 2017)
3.6.3-8 Alternatives to Products Containing Ozone Depleting Substances and High Global Warming Potential Hydrofluorocarbons (October 2016)
3.6.3-13 Affirmative Procurement of Recycled Content and Products under Service and Construction Contracts (October 2016)
3.6.3-14 Use of Environmentally Preferable Products (October 2016)
3.6.3-17 Efficiency in Energy Consuming Products (October 2019)
3.6.3-19 Affirmative Procurement of Biobased Products under Service and Construction Contracts
3.6.3-21 Efficiency in Water Consuming Products and Services (October 2018)
3.6.3-22 Construction Waste Management (January 2018)
3.6.3-23 Delivery of Electronic and Paper Documents (October 2016)

3. The following clause was deleted consistent with Executive Order 13897 "Improving Contract Operations" which revoked Executive Order 13495 "Nondisplacement of Qualified Workers under Service Contracts"

3.6.2-40 Nondisplacement of Qualified Workers (April 2009)

4. The following clauses were revised per request of Contracts to provide an interim step for the Contracting Officer to issue a cure notice to the contractor prior to terminating a contract for default:

3.10.6-3 Termination (Cost-Reimbursement) (October 2011)

3.10.6-4 Default (Fixed-Price Supply and Service) (October 1996)

3.10.6-5 Default (Fixed-Price Research and Development) (October 1996)

5. The following clause was added in order to ease the contractor representation requirements in reference to NDAA FY 19 Section 889(a) in reference to prohibited purchases of certain telecommunications and video surveillance services or equipment:

3.6.4-24 Covered Telecommunications Equipment or Services - Representation (January 2020)

6. The following clause was revised consistent with the addition of the new clause under #5 above:

3.6.4-22 Representation Regarding Certain Telecommunications and Video Surveillance Services or Equipment (October 2019)

7. The following clause was added owing to the need to better define contractor record-keeping responsibilities for contractors consistent with National Archives and Records Administration (NARA) guidance:

3.13-16 Records Management (January 2020)

Development, Review, and Concurrence: Acquisition Policy, Procurement Legal, Contracts, Agency Record Officer (AFN-300) and Office of Environment and Energy (AEE-400).

Target Audience: Program offices and contracting personnel.

Briefing Planned: No.

ASAG Responsibilities: None.

Section / Text Location: AMS clauses / PRISM

The redline version must be a comparison with the current published FAST version.

- ☒ I confirm I used the latest published version to create this change / redline
or
☐ This is new content

Links:

<https://fast.faa.gov/contractclauses.cfm>

Attachments: Attached

Other Files: N/A